

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES	Title: SOFTWARE UPGRADES FROM A PRINTER MODULE WITH ON-BOARD INTELLIGENCE	
	Inventor(s):	Alberto Rodriguez et al.
	Application No.:	10/696,902
	Filing Date:	October 30, 2003
	Confirmation No.	9247
Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Examiner:	Pawandeep Dhingra
	Art Unit:	2625
	Last Office Action:	November 23, 2010

Dear Sir:

☒ Applicant hereby appeals to the Board of Patent Appeals and Interferences from a decision of the primary Examiner mailed **February 11, 2011** finally rejecting claims 1-10, 13-17, 20-25.

☐ Applicant(s) hereby request(s) reinstatement of the previously filed appeal, mailed pursuant to 37 C.F.R. § 41.31 and appeal(s) from the last decision of the Examiner mailed .

☒ This application is on behalf of other than a small entity.

FEES ASSOCIATED WITH FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. 1.17(b) the fee for filing the Notice of Appeal is:

☒ Large entity: \$540

☐ Amount previously paid: \$0 (if reinstating previous appeal)

Total Notice of Appeal fee: \$540

☒ The Commissioner is hereby authorized to charge the payment for this Notice of Appeal pursuant to 37 C.F.R. 1.17(b) to Xerox Corporation's Deposit Account No. 24-0037. The Commissioner is also hereby authorized to charge any additional fees that may be required to Deposit Account No. 24-0037.

☐ Payment for the filing of this Notice of Appeal is authorized to be charged to a Credit Card via the EFS Web. If the Credit Card is unable to be charged, please charge any and all fees or credit overpayment to our Deposit Account No. 06-0308.

OTHER DOCUMENTS ENCLOSED:

- ☐ A Petition for a -month extension of time under 37 C.F.R. 1.136(a)
and appropriate Credit Card Payment Form PTO-2038.
- ☐ Pre-Appeal Request for Review
- ☐ Response to Final Office Action dated
- ☐ Other: _____

Respectfully submitted,

Fay Sharpe LLP



Patrick R. Roche, Reg. No. 29,580
Kimberly A. Textoris, Reg. No. 64,954
The Halle Building – Fifth Floor
1228 Euclid Avenue
Cleveland, OH 44115
216-363-9000

February 23, 2011

Date

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) is (are) being transmitted to the USPTO by electronic transmission via the EFS Web on the date indicated below.

February 23, 2011

Date



Name: Barbara Brazier